

### REMARKS

This application has been carefully reviewed in light of the Office Action dated April 1, 2008. Claims 1 to 12 are pending in the application. Claims 1, 11 and 12 are independent. Reconsideration and further examination are respectfully requested.

Claims 1 to 12 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 7,131,124 (Hanyu). Claims 1 to 12 were also rejected under § 102(e) over U.S. Publication No. 2004/0068548 (Sugita).<sup>1</sup> Reconsideration and withdrawal of the rejections are respectfully requested.

With regard to Sugita, Applicants note that Sugita can be antedated by a sworn translation of the priority document in this case. Specifically, the earliest effective date of Sugita corresponds to its filing date of June 18, 2003. The subject application claims priority to a Japanese application dated February 7, 2003, which is earlier than the Sugita date. It is Applicant's current intention to file such a translation shortly so as to remove Sugita as a reference against the subject application. Accordingly, if the Examiner takes this case up for action before such translation is received, it is respectfully requested that the Examiner contact Applicants' undersigned attorney at the number located below.

In the meantime, the following remarks address the rejection over Hanyu.

#### Claims 1 and 11

The invention of Claims 1 and 11 generally concerns data transfer in an image forming apparatus. The first controller controls an engine section for forming an image, and the engine section includes a nonvolatile memory. The second controller

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<sup>1</sup>Portions of the rejection over Sugita refer to Hanyu, but it is believed that these are typographical errors, since the cited portions appear to correspond to text in Sugita.

transmits rewrite data to the first controller, and the nonvolatile memory is rewritten by the rewrite data.

According to one aspect of the invention, rewrite data is transferred from the second controller to the first controller via a signal line to rewrite the nonvolatile memory, in synchronization with a control signal notified from the first controller to the second controller via another signal line.

By virtue of this arrangement, synchronization is provided for the transfer of rewrite data, using a signal line that is separate from the signal line for the rewrite data itself.

Referring specifically to claim language, independent Claim 1 is directed to a data transfer method in an image forming apparatus in which communication between a first controller and a second controller is performed via signal lines. The first controller controls an engine section for forming an image. The engine section includes a nonvolatile memory. The second controller transmits image data to the first controller. The method includes transferring rewrite data from the second controller to the first controller via a signal line to rewrite the nonvolatile memory, in synchronization with a control signal notified from the first controller to the second controller via another signal line. The method further includes rewriting the nonvolatile memory of the engine section by the data transferred in synchronism.

Independent Claim 11 is directed to an apparatus substantially in accordance with the method of Claim 1.

The applied art is not seen to disclose or suggest the features of the invention of Claims 1 and 11, and in particular is not seen to disclose or suggest at least the

feature of transferring data from a second controller to a first controller via a signal line to rewrite a nonvolatile memory, in synchronization with a control signal notified from the first controller to the second controller via another signal line.

As understood by Applicant, Hanyu is directed to a system in which programs for executing downloading are stored in a non-rewritable boot area of a rewritable flash EEPROM. Other programs are stored in the remaining areas of the EEPROM. Based on the stored programs, redownloading can be executed automatically after a power disconnection. See Hanyu, Abstract.

Page 2 of the Office Action asserts that Hanyu (Figure 3 and Column 4, lines 47 and 49, Column 7, lines 30 to 34 and 48 to 54 and Column 8, line 59 to Column 9, line 50) discloses establishing synchronization of data transfer by a predetermined control signal, when data should be transferred from a controller section to an engine section to rewrite a nonvolatile memory.

The cited portions of Hanyu are directed to separate transfers of a control program between a host computer and a printer controller, and between a printer controller and an engine controller. More specifically, in response to a request to update the printer control program, Hanyu's engine controller clears the engine's EEPROM memory. After the engine's EEPROM memory is cleared, Hanyu's engine controller transmits a demand to the host computer via the printer controller. In response to this demand, the host computer separately transfers the control program to the printer controller, which finally transfers the control program to the engine controller. See Hanyu, Column 8, line 59 to Column 9, line 50; see also Hanyu, Figure 3 and Column 4, lines 47 and 49, Column 7, lines 30 to 34 and 48 to 54.

Thus, the cited portions of Hanyu are thus seen to describe an asynchronous transfer of the control program. That is, Hanyu is not seen to disclose or suggest transferring data from a second controller to a first controller via a signal line to rewrite a nonvolatile memory, in synchronization with a control signal notified from the first controller to the second controller via another signal line.

Therefore, independent Claims 1 and 11 are believed to be in condition for allowance, and such action is respectfully requested.

#### Claim 12

Independent Claim 12 is directed to a controller which transmits image data to an engine section which comprises a nonvolatile memory and forms an image. The controller includes communication paths for communicating with an engine controller of the engine section, and a transmitter for transmitting mode designation data which designates a mode for rewriting the nonvolatile memory of the engine section. The transmitter transmits data to the engine controller via a communication path to rewrite the nonvolatile memory, in synchronization with a control signal notified from the engine controller via another communication path after transmission of the mode designation data via the communication path.

The applied art is not seen to disclose or suggest the features of Claim 12, and in particular is not seen to disclose or suggest at least the feature of transmitting data to the engine controller via a communication path to rewrite the nonvolatile memory, in synchronization with a control signal notified from the engine controller via another communication path.

In particular, as discussed above, the applied art is not seen to disclose or suggest transferring data from a second controller to a first controller via a signal line to rewrite a nonvolatile memory, in synchronization with a control signal notified from the first controller to the second controller via another signal line. Accordingly, Applicant submits that the applied art also can not disclose or suggest transmitting data to the engine controller via a communication path to rewrite the nonvolatile memory, in synchronization with a control signal notified from the engine controller via another communication path.

Therefore, independent Claim 12 is believed to be in condition for allowance, and such action is respectfully requested.

The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

Turning to a formal matter, while the Office Action has generally indicated consideration of the art cited in the Information Disclosure Statements, the corresponding Form PTO-1449s have not been initialed. Applicants respectfully request that the next communication include initialed copies of the Form PTO-1449s, so as to provide Applicants with a positive indication that such information has been considered.

No other matters being raised, the entire application is believed to be in condition for allowance, and such action is courteously solicited.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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